

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In re: Sharonn E. Thomas Debtor. v. THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK as Trustee for FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2006- FA2, Respondent.	Bankruptcy 18-17430-elf Chapter 7 Related to Doc. No. 227
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**LIMITED RESPONSE TO MOTION OF TRUSTEE, TERRY P. DERSHAW, ESQUIRE,
TO SELL CERTAIN REAL ESTATE ASSETS FREE AND CLEAR OF
LIENS AND ENCUMBRANCES SURCHARGE CERTAIN SECURED
CREDITORS AND RESOLVE CERTAIN DISPUTES**

THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK as Trustee
for FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2006-FA2

("Secured Creditor"), by and through its undersigned attorney, hereby files its Limited Response
to Motion of Trustee, Terry P. Dershaw, Esquire, to Sell Certain Real Estate Assets Free and
Clear of liens and Encumbrances Surcharge Certain Secured Creditors and Resolve Certain
Disputes ("Motion") (Doc. 227) and in support thereof states as follows::

1. Secured Creditor holds a first lien on the subject property located at 4712 PENN
STREET, PHILADELPHIA, Pennsylvania 19124. (The "Property").

2. This Court has exclusive jurisdiction over the property in question under 28
USC Section 1334.

3. On November 12, 2021, TERRY P. DERSHAW ("Trustee") filed an Application
Of Motion of Trustee, Terry P. Dershaw, Esquire, to Sell Certain Real Estate Assets Free and

Clear of liens and Encumbrances Surcharge Certain Secured Creditors and Resolve Certain Disputes.

4. The estimated payoff of Secured Creditor's lien is 34,759.89 as of January 13, 2022. This amount should not be relied upon to pay off the loan as interest and additional advances may come due prior to the date of the proposed sale. Secured Creditor will provide an updated payoff at or near the scheduled closing of the refinance.

5. Secured Creditor does not object to the Trustee's Motion to the extent that any sale is subject to Secured Creditor's lien and that Secured Creditor's lien will be paid in full at the closing based upon an up-to-date payoff quote.

6. Secured Creditor is filing its Limited Response in an abundance of caution, as Secured Creditor wants it to be clear that it should not be compelled to participate in a sale of the property absent payment in full of Secured Creditor's mortgage lien on the real property without being given the right to credit bid pursuant to 11 U.S.C. § 363(k).

7. Furthermore, Secured Creditor requests that failure to complete any sale within 90-days of entry of this Order will result in any Order authorizing the sale to be deemed moot.

WHEREFORE, Secured Creditor respectfully requests the Motion be conditionally granted, and any order granting the Motion shall include the terms identified herein; and for such other and further relief as the Court deems just and proper.

Dated: December 17, 2021

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

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Duluth, GA 30097
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By: /s/ Charles G. Wohlrab
Charles G. Wohlrab, Esquire

PA Bar Number 314532

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CERTIFICATE OF SERVICE

I certify under penalty of perjury that I served the Limited Response to Motion of Trustee, Terry P. Dershaw, Esquire, to Sell Certain Real Estate Assets Free and Clear of liens and Encumbrances Surcharge Certain Secured Creditors and Resolve Certain Disputes at the addresses specified below on **December 17, 2021**.

The types of service made on the parties were:

By First-Class Mail:

Sharonn E. Thomas
856 North 29th St.
Philadelphia, PA 19130

DAMIEN NICHOLAS TANCREDI
Flaster Greenberg P.C.
1835 Market Street
Suite 1050
Philadelphia, PA 19103

TERRY P. DERSHAW
Dershaw Law Offices
P.O. Box 556
Warminster, PA 18974-0632

United States Trustee
Office of the U.S. Trustee
200 Chestnut Street

Suite 502
Philadelphia, PA 19106

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Partners, PLLC**

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